

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AVRON HOLLAND, JR.
Petitioner,

:

:

v.

CIVIL ACTION
NO. 13-6623

:

LOIUS FOLINO;¹ THE DISTRICT
ATTORNEY OF THE COUNTY OF
PHILADELPHIA; and THE ATTORNEY
GENERAL OF THE STATE OF
PENNSYLVANIA
Respondents.

:

ORDER

AND NOW, this 26th day of March, 2015, upon careful and independent consideration of the Petition for Writ of Habeas Corpus (Doc. No. 1), the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa (Doc. No. 14), and Petitioner's Objections thereto (Doc. No. 21), it is hereby ORDERED as follows:

- (1) Petitioner's Objections are OVERRULED;
- (2) The Report and Recommendation is APPROVED and ADOPTED;²
- (3) The Petition for Writ of Habeas Corpus is DENIED with prejudice;
- (4) Petitioner's Motion for Financial Assistance (Doc. 4) is DENIED;

¹ This Court notes that Petitioner mistakenly transposed the "i" and "u" in Warden Louis S. Folino's name when listing him as Respondent in the originally-filed Petition (Doc. No. 1). The Clerk of Court has captioned the matter accordingly.

² As set forth in this Court's accompanying Opinion regarding Petitioner's sixth objection, this Court disagrees with one particular aspect of the Magistrate's findings. However, because the ultimate conclusions reached in the R&R are correct, this Court approves and adopts same.

- (5) Petitioner's Motions for Discovery (Docs. 9 & 10) are DENIED;
- (6) Petitioner's Motion for Enlargement of Time to File Traverse to Respondent's Response to the Petition for Writ of Habeas Corpus and Motions for Discovery (Doc. No. 15) is DENIED;
- (7) A Certificate of Appealability SHALL NOT ISSUE, as Petitioner has failed to make a substantial showing of the denial of a constitutional right; and
- (8) The Clerk of the Court shall mark this matter CLOSED for statistical purposes.

BY THE COURT:

/s/ C. Darnell Jones, II

C. Darnell Jones, II J.